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QUALCOMM INCORPORATED

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JESSE MEYER, an individual, on his own
behalf and on behalf of all similarly
situated,

Plaintiff,

v.

QUALCOMM INCORPORATED, a
Delaware corporation,

Defendant.

Case No. 08cv0655-WQH (LSP)

**QUALCOMM INCORPORATED'S
SUPPLEMENTAL NOTICE OF RELATED
CASE**

Judge: Hon. William Q. Hayes

1 Defendant Qualcomm Incorporated (“Qualcomm”) respectfully submits this supplemental
2 notice of related case pursuant to Local Rule 40.1(e).

3 On April 17, 2008, Qualcomm submitted a notice of related case regarding *Broadcom*
4 *Corp. v. Qualcomm Inc.*, No. 05cv03350 (D.N.J.) (“3350”), then pending before Judge Cooper of
5 the New Jersey District Court. (Dkt. No. 6.) On August 12, 2008, Judge Cooper granted
6 Broadcom Corporation’s motion to transfer the 3350 case to the United States District Court for
7 the Southern District of California. A copy of Judge Cooper’s memorandum opinion is attached
8 as Exhibit A.

9 Upon transfer, the 3350 case should be assigned to this Court as a related case under Local
10 Rule 40.1. Under that rule, “[a]n action or proceeding is related to another action or proceeding
11 where both of them: (1) Involve some of the same parties and are based on the same or similar
12 claims, or (2) Involve the same property, transaction, or event, or (3) Involve substantially the
13 same facts and the same questions of law.” Local Rule 40.1(f). The 3350 case is “related” under
14 any of these standards.

15 The 3350 case—like the instant *Meyer* case—is an antitrust case against Qualcomm in
16 which the plaintiffs assert claims under the Sherman Act and California’s Unfair Competition
17 Law. The 3350 and *Meyer* plaintiffs also assert the same primary theory of liability—namely,
18 that Qualcomm has monopolized certain markets and charged supracompetitive royalties for
19 wireless technology by deceiving a private standards-determining organization known as “ETSI”
20 into choosing to incorporate Qualcomm’s patented technology within a third-generation cellular
21 standard called “UMTS.” *See Broadcom Corp. v. Qualcomm Inc.*, 501 F.3d 297 (3d Cir. 2007).

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1 Given their factual and legal similarities, the 3350 and *Meyer* cases should be treated as “related”
2 under Local Rule 40.1(f).

3 Dated: August 13, 2008

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